



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 20, 2024
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on an ordinance disannexing a 5.45-acre tract, located within Travis County, Texas; making findings of fact; disannexing certain property; providing a repealing clause; providing a severability clause; providing an open meetings clause and establishing an effective date.

BACKGROUND/SUMMARY:

This property was annexed by Ordinance 335 on February 6, 2008, and given interim zoning of R-1 (now SF-1 Single Family Suburban). The property, located at 12906 Johnson Road, was purchased in June 2023 by the applicant, Patsy Graham. She applied to construct a barndominium-type house in September 2023 and was provided plan review comments in October 2023 that stated, among other comments, that the structure did not meet the city’s adopted building codes or architectural standards. A meeting was held with the applicant on November 1, 2023, to discuss the review comments and she was informed that an architect would be needed to revise her building plans to meet the city’s adopted codes. In the alternative, she has filed this request to be removed from the city limits so she can construct the home without having to meet the city’s adopted codes. On February 7, 2024, it was discovered that she had started construction on the home without permits, and a stop work order was placed on the property.

Under current state statute, if the property is disannexed from the city limits, the city cannot re-annex the property without the property owner’s consent. Disannexation would create inconsistencies in our city limits by leaving a “hole” in our city limits where the property would be in our ETJ but surrounded by properties in the city limits. This can make the provision of municipal services less efficient.

Furthermore, the city has an established variance process through the Board of Adjustment to hear cases of hardship related to building codes and zoning standards the applicant can apply through should the property remain within the city limits. The Board of Adjustment is the traditional municipal authority to hear such cases, and Board of Adjustment cases are appealed to a district court should the outcome not be favorable to the applicant.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: Yes, loss of tax revenue
PRESENTATION: No
ATTACHMENTS: Yes

- Draft Ordinance
- Request Letter
- Property Aerials
- Survey

- Legal Description
- Ordinance 335
- Review Comments
- Stop Work Order
- Construction image

STAFF RECOMMENDATION:

The City Staff recommends that the City Council consider the first of an ordinance disannexing a 5.45 acre tract, located within Travis County, Texas.

PLANNING & ZONING COMMISSION:

Recommend Approval

Disapproval

None

X
